

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN DIEGO REGION**

**TENTATIVE  
ADDENDUM NO. 1  
TO  
CEASE AND DESIST ORDER NO. 2001-198  
CALIFORNIA DEPARTMENT OF TRANSPORTATION  
San Joaquin Hills Transportation Corridor (SR-73)**

The California Regional Water Quality Control Board, San Diego Region (hereinafter Regional Board) finds that:

1. On July 18, 2001, this Regional Board adopted Cease and Desist Order No. 2001-198, finding that the California Department of Transportation (Caltrans) had failed to use reasonable care to properly maintain and operate the twenty Compost Stormwater Filters (CSF units) that were installed along the portion of SR-73 within the jurisdiction of the San Diego Regional Board, in violation of requirements contained in the Caltrans Statewide General Stormwater Permit, Order No. 99-06-DWQ.
2. This addendum establishes a deadline for Caltrans to complete a project that the agency has proposed to achieve compliance with the Cease and Desist Order. The project consists of replacing the twenty CSF units with suitable alternative structural treatment Best Management Practices (BMPs). The June 1, 2005 deadline is reasonable based upon the project's budget, complexity and the regulatory permitting process.
3. This addendum will also rescind the water quality monitoring requirements of Directive No. 4 of Cease and Desist Order No. 2001-198. Monitoring from the last two years has met the goals of Directive No. 4 by providing sufficient data to:
  - a. Establish a baseline for the quality of runoff generated from SR-73.
  - b. Establish that the pollutant removal capabilities of the CSF units are inconsistent.
  - c. Establish that the CSF units are contributing excess nutrients to receiving waters, but these nutrients do not seem to be impairing the water quality or beneficial uses of streams associated with SR-73
4. The Regional Board has notified Caltrans and interested agencies and persons of its intent to issue this Order and has provided them with the opportunity for a public hearing and to submit their written views and recommendations.
5. The SDRWQCB, in a public hearing, heard and considered all comments pertaining to this matter.
6. This enforcement action is being taken for the protection of the environment, and as such is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000 et seq.) in accordance with Section 15108, Chapter 3, Title 14, California Code of Regulations.

IT IS HEREBY ORDERED that, pursuant to Section 13301 of the California Water Code:

1. By June 1, 2005, Caltrans shall remove all CSF units on SR-73 within the jurisdiction of the San Diego Regional Board, and shall complete replacement of these units with the alternative structural treatment BMPs, as outlined in Attachment B of the Quarterly Progress Report submitted on July 31, 2003.
2. Directive No. 4 of Cease and Desist Order 2001-198 is rescinded.

I, John H. Robertus, Executive Officer, do hereby certify the foregoing is a full, true and correct copy of an Addendum adopted by the California Regional Water Quality Control Board, San Diego Region, On September 10, 2003.

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JOHN H ROBERTUS  
Executive Officer